

CITY OF PERRYVILLE, KENTUCKY
ORDINANCE NO. 2025 - 003

AN ORDINANCE AMENDING SECTION NO. 2 (B), (E), AND (F), AND SECTION NO. 3 (A) AND (B), OF THE ORDINANCE CONCERNING DUTIES OF PROPERTY OWNERS REGARDING PUBLIC THOROUGHFARES AND WEEDS, HIGH GRASS, TRASH ETC.

BE IT ORDAINED BY THE CITY OF PERRYVILLE:

SECTION NO. 1 – DUTIES OF OWNERS REGARDING PUBLIC THOROUGHFARES

(A) The existence of trees, shrubs, hedges or other forms of vegetable growth along the public way or upon private or public property, in such height, density and foliage as to obscure the visions of pedestrians or operators of vehicles upon the street is found to be detrimental to the public safety and welfare of the inhabitants of this community, and is declared to be a public nuisance.

(B) It shall be the duty of every owner or occupant of property abutting upon intersections of public streets to so cut, trim and prune shrubs, hedges, trees or other forms of vegetable growth standing upon such property as to provide a clear view to pedestrians or operators of vehicles upon the public streets of other pedestrians, vehicles or moving objects approaching said intersection from or upon an intersecting street. Such duty shall be satisfied if there exists or is created an "unimpaired view", as hereinafter defined, from any point within 75 feet of the midpoint of the intersection (being the point at which the center lines of two intersecting streets do themselves intersect) of any pedestrian, vehicle; or other moving object upon the intersecting street within 75 feet of such midpoint. The foregoing requirement of an "unimpaired view" is satisfied if said owner or occupant so cuts, trims, or prunes existing shrubs, hedges or other foliage so as to limit their maximum height to 26 feet above the ground level where planted, and where such owner or occupant cuts, trims or prunes, the branches of trees, so as to create a clear view in which the limbs and foliage from said trees do not overhang.

(C) No owner or occupant of property abutting upon intersections of public streets shall, after the effective date of this Section, plant or locate trees, shrubs, or hedges, within the "zone of clear view" intended to be created by this Section, which "zone of clear view", for any property abutting upon intersections of public streets shall be that triangular area determined by measuring, back along the centerline or middle of each intersecting street to establish a point on each intersecting street that is 75 feet from the midpoint of the intersection (being the point at which the center lines of the two intersecting streets do themselves intersect), and then sighting or connecting the two 75 feet removed points to form the third line of the triangular "zone of clear view".

(D) "Vehicle" as used in this Section shall include all forms of conveyance capable of transporting humans however powered, and expressly includes, but is not limited to cars, trucks, wagons, tractors, bicycles and carts).

(E) "Intersection" as used in this Section is any place where two or more streets converge to permit traffic from one street to move onto another, regardless of the angle of the meeting.

(F) If it is found that any owner or occupant of property covered by this Section is violating same, he shall be given written notice informing him of the nature of the violation, and those trees, shrubs, hedges or other forms of vegetable growth which constitute a violation, and ordering him or her to comply with the terms of this Section by a date to be fixed in said notice, which date shall not be less than 30 days from the giving of the notice. This requirement of giving written notice shall be satisfied, if such notice is personally delivered to the owner or occupant of said property, or is mailed to him at his last known place of address, postage prepaid, by registered mail of the United States, and the date that notice is either personally served, or so deposited in the mail shall fix the date of giving notice.

SECTION NO. 2 – ADDITIONAL DUTIES OF OWNERS REGARDING WEEDS, HIGH GRASS, TRASH, ETC.

(A) The existence of weeds, high grass, and accumulated trash and rubbish within the City of Perryville, Kentucky, either on private property or on or near the sidewalks, streets, or grass plots between sidewalks and streets, is detrimental to the general health of the inhabitants of said community, and is declared to be a nuisance.

(B) It shall be the duty of each owner or occupant of all lots or parcels of ground within the City of Perryville, Kentucky, to cut and trim, from time to time during the growing season, all weeds, high grass, and noxious plants or growths, existing on any such lots or parcels of ground and on or near the sidewalks, streets, or the aforesaid grass plots abutting any such lot or parcel of real estate, so that such weeds, grass, growths shall during the growing season from April 1st to November 1st each year be kept cut as close to the earth at all times as may be necessary to keep same not more than ~~twelve inches (12")~~ **nine inches ("9")** in height.

(C) It shall be the duty of every owner or occupant of all lots or parcels of ground within the City of Perryville, Kentucky, to keep cleaned and removed all accumulated trash and rubbish existing on all lots or parcels of ground, and on or near the sidewalks, streets, or the aforesaid grass plots abutting any such lot or parcel of real estate.

(D) Should any person required to perform any of the duties set forth in numbered paragraphs 2 and 3, above, fail to perform said duties, the City of Perryville may cause the same to be done and charge the cost for same to said person.

(E) Once each April the City Clerk shall cause a notice to be published in the local newspaper reminding owners of the contents of Section 2 of Ordinance No. ~~2025-008~~ **84-2**; however, failure to publish same shall not be excuse for violation of same, and violators of Section

2 of Ordinance No. ~~[2025-003] 84-2~~ shall be forthwith summoned to appear before the District Court of Boyle County, Kentucky, to be dealt with according to law.

(F) Nothing in any subsection of Section 2 of Ordinance No. ~~[2025-003] 84-2~~ is to be construed as interfering with normal and usual farming practices as carried on on farms located within the City of Perryville.

SECTION NO. 3 – PENALTIES

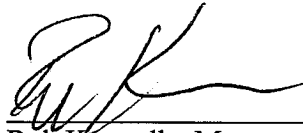
(A) Any person, firm, association or corporation to whom the notice set forth in Subsection F of Section 1 of Ordinance No. ~~[2025-003] 84-2~~ has been given, who constitutes in violation of any subsection of Section 1 of Ordinance No. ~~[2025-003] 84-2~~ shall be ~~[in violation of this provision and that violation shall be punishable by a fine of not more than \$25.00] guilty of a misdemeanor, and upon conviction shall be fined not less than \$5.00 nor more than \$50.00 for each offense~~, and each day the violation continues ~~after the effective date of the order of compliance with this Section~~ shall constitute a separate offense.

(B) Any person, firm, association or corporation violating any Subsection of Section 2 of Ordinance No. ~~[2025-003] 84-2~~ shall be ~~[in violation of this provision and that violation shall be punishable by a fine of not more than \$25.00] guilty of a misdemeanor, and upon conviction shall be fined not less than \$5.00 nor more than \$25.00 for each offense~~, and every day there is a failure to comply herewith shall be a separate offense. ~~[To the extent that any warning concerning violation of any Subsection of Section 2 is issued to a property owner or occupant, only one such warning may be issued to a property owner or occupant for the entire period that they own or occupy said property.]~~

FIRST READING, THIS 3 DAY OF July, 2025.

PASSED ON SECOND READING, THIS 7 DAY OF August, 2025.

PUBLISHED IN THE ADVOCATE-MESSENGER, DANVILLE, KENTUCKY, ON THE
____ DAY OF _____, 2025.



Rob Kernodle, Mayor
City of Perryville, Kentucky

ATTEST:


Mona Followell, City Clerk